



**TOWN OF CICERO**  
**TOWN COUNCIL MEETING MINUTES**  
**June 17, 2014**  
**At 7:00 PM**

**Call To Order:** President Dennis Schrumpf called the meeting to order, led the Pledge of Allegiance, and gave the prayer. President Schrumpf called for the roll call and the members of the Town Council were present or absent as follows:

**Present:** Dennis Schrumpf  
Jerry Cook  
Brett Foster  
Kay Hartley

**Absent:** Eric Hayden

President Schrumpf declared a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Charlie Cambre, Park Superintendent  
Pat Comer, Street & Utilities Director  
Jim Hunter, Police Major  
Paul Munoz, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Keith Bryant, Town Engineer  
Paul Utterback, President Storm Water Management Board

**Approval of Agenda:**

Mr. Schrumpf added under Plan Commission a discussion on a parcel in Hidden Bay. Mr. Cook made a motion to approve the agenda as amended Ms. Hartley seconded, motion passed.

**Public Hearing On Additional Appropriations And Ordinance 06-17-2014-1 Additional Appropriations for CCD Fund.**

Mr. Foster made a motion to open the Public Hearing. Mr. Cook seconded, motion passed. Mr. Schrumpf inquired if there were any questions regarding the Additional Appropriation. Ms. Unger read the amounts to be appropriated: CCD Causeway \$135,000 and CCD Miscellaneous \$175,000 for a total to CCD of \$310,000. There were no comments or questions. Mr. Cook made a motion to close the Public Hearing. Mr. Foster seconded, motion passed. Ms. Hartley stated that these appropriations have been discussed and made a motion to approve Ordinance 06-17-2014-1 Additional Appropriations for CCD Fund. Mr. Cook seconded, motion passed.

**Public Hearing On Vacating A Portion of Wilson Street and Council To Consider Ordinance 06-17-2014-2 Ordinance Of The Town Of Cicero Vacating Public Right Of Way.**

Mr. Cook made a motion to open the Public Hearing on the vacation of the public right-of-way for a portion of undeveloped Wilson Street. Mr. Foster seconded, motion passed. Ms. Unger stated that she had an interest in this particular property and was recusing herself from this discussion. Major Hunter would be taking minutes, Ms. Unger left the table.

Mr. Culp advised the Council that legal notice had been published in the paper and as required by law a letter was sent to the adjoining property owner of which there was only one. *The petitioner owns both sides of the right-of-way and the Town owns the other.* The party owning the adjoining property as stated on the Hamilton County website and the persons paying the taxes were sent the required letter and they are deceased. The Town then contacted the person paying the utility bill for the owner and informed them of the petition. Mr. Culp stated that due diligence in informing the owners has been done. Mr. Schrupf explained the reason for the vacation is that the right-of-way was never developed and that Mr. Clark, the petitioner, has been allowed to build structures in the right-of-way. Mr. Clark is now trying to sell the property and in order to get clear title this needs to be resolved. Mr. Cook made a motion to close the Public Hearing. Mr. Foster seconded, motion passed. Mr. Cook made a motion to approve Ordinance 06-17-2014-2 Ordinance Of The Town Of Cicero Vacating Public Right Of Way. Mr. Foster seconded, motion passed unanimously.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, June 3, 2014, 7:00 PM** – Ms. Hartley made motion to approve the June 3, 2014 Town Council Meeting Minutes Mr. Cook seconded, motion passed.

**Approval of Claims:**

Mr. Cook made a motion to approve the claims as presented. Ms. Hartley seconded, motion passed.

**Petitions by Citizens:**

**Mr. Brett Morrow** addressed the Council stating that 10 West was doing very well. He inquired about the possibility of putting a 15 minute loading/unloading sign in the first parking space on the north side of the street just west of SR 19 in front of 10 West. Mr. Morrow informed the Council that vehicles are stopping just short of getting off of SR 19, in addition to stopping once on Jackson Street, and parking in the yellow zone. This has caused a traffic problem. There was a discussion on the sign and enforcement. Mr. Foster made a motion to approve installing a Loading/Unloading sign in this location. Ms. Hartley seconded, motion passed. Mr. Morrow will pay for the sign, Mr. Comer's staff will install. Mr. Culp stated that if it was to be enforced the Council would need to have an ordinance. **Mr. Edwin Salvagin** addressed the Council inquiring for a time table as to when his property would be repaired from the repairs made during the sewer project. Mr. Comer stated that he was not sure but the pavers start in Town on Thursday and when they finish they will make the repairs to his drive. The entire project will not be completed until September. There will need to be dirt hauled in, seeding, and paving completed in several areas. Mr. Salvagin stated that his yard was wet and could not be walked on. Mr. Bryant stated that there is a year's warranty on the project if needed.

**President's Report:**

President Schrupf reported that he didn't have anything this evening.

**Council Committee Reports:**

There were none.

**Legal Counsel Report-Aaron Culp:**

Mr. Culp stated he didn't have anything except that at the Golf Outing this afternoon he heard there was around \$8,000 made for the Hamilton Heights Education Committee.

**Cicero/Jackson Township Plan Commission Report-Mr. Munoz**

1. Mr. Munoz distributed a GIS map of 50 Legend Court in Hidden Bay. The aerial view shows the lot and the mobile home which extends past the property lines into the Town's

easement. Mr. Munoz stated that the current mobile home has been condemned by the County. Mr. Peter Wenzel is purchasing the property and would like to install a mobile home the same length as the current one. He is asking for approval from the Council to encroach into the easement the same as the current mobile home. Mr. Munoz asked if they could have a recorded document stating that it was okay for the mobile home to be in the easement, but if the Town ever needed access, the property owner would be responsible for moving the mobile home out of the easement. This document would then be attached to the deed. Mr. Culp concurred that this could be done if the Council chose to do so. There was a discussion by the Council as to what precedent this would be setting. Clarification was made that the person enquiring has not resumed ownership yet. Mr. Foster made a motion to permit the gentleman to install the mobile home in the same location as the current mobile home attaching to the deed a document stating that if the Town needed access the owner would move at his expense or the Town would move and bill the owner. Mr. Cook seconded, motion passed.

**Town Engineer Report-Mr. Keith Bryant –**

Mr. Bryant addressed the following:

1. Jackson Street Pedestrian Walkway – Mr. Bryant stated that the contractor was wrapping up the project. They are waiting on some of the railing to be delivered on June 30<sup>th</sup>. They will then install on July 1<sup>st</sup> and have the project ready to open by July 4<sup>th</sup>. If the need to they will put up temporary railing for the 4<sup>th</sup> weekend.
2. Sewer I & I Project – Mr. Bryant informed the Council the contractor is still trying to get the State to allow total closure for the work they need to do on SR 19. Mr. Bryant stated that it is up to them to get the approval. Mr. Bryant informed the Council that they have found a manhole at the crossing of Brinton and Main/Stringtown Pike three -way stop that is deteriorated, falling apart and leaks badly. They have a quote from one company to replace for \$25,000. They are looking at another option to rebuild from the inside and Mr. Comer's staff would assist. This would cut the amount down to \$8,000. Mr. Bryant stated the contingency money from the Bond could be used. As far as closing the intersection, the fire department was concerned. Mr. Bryant stated they would be able to keep it accessible by using a flagman if they rebuild from the inside. Ms. Hartley made a motion to approve the Brinton Street/Main Street repair. Mr. Cook seconded, motion passed.
3. Mr. Cook inquired about an informational sign at the public docks which has been discussed previously. He would like to see a sign in that location where businesses could put information and menus. There was discussion regarding a digital sign at the Morse Landing entrance where the current park sign is. They will look into the cost.

**Old Business:**

**Council To Consider Trash Contract.**

Ms. Unger stated that the increase from Republic was \$.60. We only received one bid. Mr. Munoz and Ms. Unger met with Craig Lutz, Town's rep from Republic, to discuss options but in order to change anything it would have to be rebid according to Mr. Culp and Mr. Charlie Pride with the State Board of Account. Ms. Unger suggested that the Council, if they stay with this one bid, only have a \$.50 increase. Ms. Unger stated that Mr. Lutz was here this evening if the Council had any questions. Mr. Morrow inquired if trash was only picked up on one side of the road if this would cut the cost. Mr. Lutz stated that was one of

the questions Mr. Munoz inquired about and in reality it would not. Mr. Lutz stated that there was also a discussion about heavy trash twice a year and he felt the community liked this feature. Ms. Hartley stated that she has checked with other communities and thinks our trash bill is very reasonable. Mr. Schrupf stated that on his street it would not matter about putting all of the totes on one side as they had to come around and back up the other side anyway. Ms. Hartley made a motion to approve \$11.50 per month for trash beginning in January 2015. Mr. Foster seconded, motion passed unanimously. Mr. Schrupf directed Mr. Culp to write the ordinance for the increase.

## **New Business**

### **Council To Consider Change Order For Paving Project In The Amount Of \$23,605.89 For Additional Asphalt For Causeway.**

Mr. Comer asked the Council for approval for a change order of \$23,605.89 to do some additional paving work on the Causeway. Mr. Comer stated that they would tear out five more feet and put a wedge in the road for drainage. It would also make the surface deeper. Mr. Bryant thought it was a good idea. Mr. Comer said with the additional cost it would still be about \$25,000 less than the original projection.

1. Mr. Cook inquired if they would be feathering the asphalt out to the RR. Mr. Comer said they hadn't discussed yet.
2. Mr. Cook reiterated that there would be no parking on either side of the Causeway.
3. Mr. Bruce Freeman inquired if the road would handle the increased traffic with the SR 31 expansion. Mr. Comer thought it would and with the improvements, it should last an additional 5 years.
4. Mr. Chad Amos inquired if there would be a designated Golf Car lane, and was told nothing signed as such but they hope they will take advantage of the extra space.
5. Mr. Freeman inquired about fishing on the Walkway. He was told there would be no fishing on the walkway but they could fish off the existing bridge and north side of the Causeway. Mr. Schrupf stated that with the new seawall in Red Bridge Park hopefully more people will take advantage of that access for fishing.
6. Mr. Munoz stated that he and Mr. Schrupf would be meeting with Hamilton County regarding the expansion of 236<sup>th</sup> Street.
7. Mr. Munoz mentioned that he need a response from the regarding an e-mail he sent earlier that day to them. The e-mail involved a nuisance property issue that fire, police and he were pursuing and we need their guidance on how the Council would like them to continue.

Back to the request for the Change Order for the Causeway Paving; Mr. Foster made a motion to approve the Change Order in the amount of \$23,605.89 for the Causeway improvement. Mr. Cook seconded, motion passed.

## **Miscellaneous**

1. Schedule a meeting for the Cicero Redevelopment Commission (CRC) – Ms. Unger explained to the Council that the State now required that the Clerk Treasurer of the Town be the financial person for the TIF Districts, for Cicero that has always been the case. Ms. Unger also informed the Council that she has given a report to Mr. Foster, President of the CRC, for review that needs to be filed with the State by July 1<sup>st</sup>. If the CRC would like to meet and review the information they need to schedule a meeting prior to July 1<sup>st</sup>. If not, the

CRC still needs to schedule a meeting on July 1<sup>st</sup> to approve and prepare letters to be sent to all of the taxing entities for notification of any surplus funds. Ms. Unger said that the State was requiring more reporting on TIF Districts and each year as it comes up in legislation they are trying to possibly do away with them. Mr. Foster said he would review the report Ms. Unger put together and if he felt there needed to be a meeting prior to July 1<sup>st</sup> he will notify the Council, otherwise he is scheduling a meeting for July 1<sup>st</sup> at 6:30 pm prior to the Town Council meeting to address the other issues.

2. Mr. Comer reminded the Council of the Rain Barrel event this weekend that Mr. Munoz has planned for Storm Water Education.

**Comments from the Public**

There were none.

***Signatures on Official Documents!***

Mr. Foster made a motion to adjourn the Town Council Meeting. Mr. Hartley seconded. Motion to adjourn passed.

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Dennis D. Schrumpf – President

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Sylvia Kay Hartley- Vice-President

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Jerry G. Cook

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Brett S. Foster

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Eric C. Hayden

**Attested:** \_\_\_\_\_  
Jan Unger, Clerk Treasurer

**Note: The Next Cicero Town Council Meeting will be on Tuesday, July 1, 2014 @ 7:00 PM at the Cicero Town Hall.**